



Town of Loomis
ACTION MINUTES
REGULAR MEETING OF
LOOMIS TOWN COUNCIL
LOOMIS TOWN HALL,
6140 HORSESHOE BAR ROAD, SUITE K
LOOMIS, CA 95650

TUESDAY	MARCH 14, 2006	7:00 P.M.
CLOSED SESSION – Pursuant to cited authority, the Town Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented prior to adjournment of the regular meeting.		
a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to Subdivision (a) of Section 54956.9: Bickford Ranch Heritage Coalition v. County of Placer Placer County Case No. SCV 12793		
b. CONFERENCE WITH REAL PROPERTY NEGOTIATOR Pursuant to Section 54956.9 of the Government Code: Property: APN 044-007-064, 044-008-030 and 044-012-055 (Union Pacific Railroad property beginning at Loomis Station and running southwest toward Sierra College Blvd) Agency Negotiator: Perry Beck, Town Manager Negotiating Parties: Union Pacific Under Negotiation: Price and term		
c. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Initiation of litigation pursuant to subdivision Section 54956.9: Three potential cases		
TUESDAY	MARCH 14, 2006	7:30 P.M.

CALL TO ORDER Call to order by Mayor Morillas at 7:36 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Morillas
Councilmember Fuson
Councilmember Millward
Councilmember Scherer
Councilmember Ucovich

Absent: None

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

- a. No action.
- b. No action.
- c. No action.

MATTERS OF INTEREST TO COUNCILMEMBERS

Councilmember Ucovich noted he attended a Transportation workshop for elected officials on pending half cent sales tax.

All items on the agenda will be open for public comment before final action is taken. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a five-minute time limit. The Mayor has the discretion of limiting the total discussion time for an item.

Written Material Introduced Into the Record: Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the Town Clerk prior to the public hearing date so that the material may be distributed to the Town Council prior to the public hearing.

PUBLIC COMMENT: This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please **note that comments from the public will also be taken on any item on the agenda.** The time allotted to each speaker is five minutes.

Jenna Sutton, Del Oro High School student, asked Council for a \$500 donation for Del Oro's Visual and Performing Arts Show on May 19, 2006.

Frankie Lopes, Brent Bell and John McMannis, fifth graders at Loomis School, asked Council to consider having a skate park and expounded on the reasons why the Town should have one.

ADOPTION OF AGENDA

Perry Beck, Town Manager, requested adding an item to the agenda that was received after the Council packet was distributed, regarding a Tribal Gaming Grant Application that must be submitted before the next Council meeting (March 24, 2006).

Following further discussion on the matter, a motion was made to make a finding of urgency due to an item received after packets were distributed and a filing deadline; and to add item 21, Tribal Gaming Grant Application, to the agenda. On motion by Councilmember Scherer, seconded by Councilmember Fuson and passed by voice vote.

A motion was made to adopt the Agenda as revised. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by voice vote.

OPPORTUNITY TO COMMENT ON CONSENT CALENDAR: All items listed under the Consent Agenda are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Councilmember requests otherwise, in which case, the item will be removed for separate consideration.

A motion was made to adopt the Consent Agenda, pulling items 8 and 9 forward for discussion and item 13 before item 11. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by voice vote.

<u>CONSENT AGENDA</u>	<u>RECOMMENDED ACTION</u>
1. Council Minutes – 2/14/06, 2/28/06 With Councilmember Scherer Abstaining	<i>APPROVE</i>
2. Monthly Check Register – February	<i>RECEIVE AND FILE</i>
3. Statement of Activity	<i>RECEIVE AND FILE</i>
4. Treasurer's Report	<i>RECEIVE AND FILE</i>
5. Planning Status Report	<i>RECEIVE AND FILE</i>
6. Select Projects Update	<i>RECEIVE AND FILE</i>
7. A Resolution of the Town Council of the Town of Loomis Authorizing Submittal of Claims For Local Transportation Funds And Authorizing The Town Manager To Execute	<i>ADOPT RESOLUTION</i> Resolution 06-07
10. A Resolution of the Town Council of the Town of Loomis Allocating A Portion of Its Budget to the Del Oro High School Parents Club for Use in Upgrading the Computer Lab	<i>ADOPT RESOLUTION</i> Resolution 06-10

CONSENT ITEMS FORWARDED

Due to a conflict of interest Councilmember Millward left the table.

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| 8. | Consider Resolution Approving The Final Map For Heritage Estates Subdivision Phase 2 And Accepting Offers of Dedication Shown On The Final Map, Addendum to Environmental Impact Report (EIR) (Continued from February 28, 2006) | <i>POTENTIAL
ADOPTION OF
RESOLUTION</i> |
|----|--|---|

Dave Larsen, Town attorney, noted the resolution before Council needs to be revised to include the approval of the addendum to the EIR in the resolution and replacing the exhibit with the new tract.

John Dunlap, representing Heritage Park Estates, stated he was available to answer any questions.

No public comment.

Following further discussion on the matter, a motion was made adopt Resolution 06-08, with the suggested modification, approving the subdivision final map and the addendum to the EIR for the Heritage Park Estates subdivision Phase 2 & 3 and authorizing execution of a subdivision improvement agreement and accept offers of dedication shown on the final map and by separate instrument with the new exhibit. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by the following roll call vote:

Ayes: Fuson, Morillas, Scherer, Ucovich

Noes: None

Abstained: Millward

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| 9. | Consider Resolution Declaring Its Intention to Order the Expenses Of Maintaining and Operating Certain Improvements Assessed Upon Real Property, Heritage Park Estates Subdivision Phase 1, 2 and 3 (Continued from February 28, 2006) | <i>POTENTIAL
ADOPTION OF
RESOLUTION</i> |
|----|--|---|

No public comment.

Following further discussion on the matter a motion was made to adopt Resolution 06-09 Declaring its intention to order the expenses of maintaining and operating certain improvements assessed upon real property, Heritage Park Estates Subdivision Phase 1,2, & 3. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by the following roll call vote:

Ayes: Fuson, Morillas, Scherer, Ucovich

Noes: None

Abstained: Millward

Councilmember Millward returned to the table.

PUBLIC HEARING

11. **Revision to Zoning Ordinance Defining "Attached"** (Continued from February 14, 2006)
Consider ordinance adding Section 13.80.020 defining the word "attached". Notice of Exemption proposed.
Recommended action: Open public hearing, take testimony, give direction on proposed ordinance, and hold first reading
Public comment:

Jean Wilson, 4301 Barton Road, stated the following:

- questioned accessory definition as not part of the main building
- not an easy issue, there are a number of homes with breezeways and detached buildings that are more then 16 feet

Larry Halvorson, 3673 Frost Lane, stated the following:

- questioned not being able to use a breezeway to attach a garage to a house to make it part of the main structure
- questioned whether the ordinance is being directed towards a certain issue
- asked Council to allow a structure to be attached by a breezeway

Dave Spannagel Penryn, stated the following

- suggested using the Uniform building Code's definition of "attached"
- also, suggested checking with the Fire Chief to be consistent with their definition

Following further discussion on the matter, a motion was made to hold first reading of Ordinance 228 adding a definition to the Zoning Ordinance for the word "attached," with an amendment to read as follows:

"Attached. Attached means connected, or solidly incorporated together, through the extension of a common wall or similar main component, *for at least five feet*, and not capable of being removed without damage to the structure and not simply joined together by a breezeway or similar smaller connecting structure." On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by the following roll call vote:

Ayes: Fuson, Millward, Morillas, Scherer, Ucovich
Noes: None

12. **Sierra De Montserrat Subdivision Maintenance District**

Consider resolution providing for levy of the expenses of maintaining and operating certain Improvements assessed upon real property, Sierra De Montserrat Subdivision Maintenance District

Recommended action: Adopt resolution

Public comment:

No public comment.

Following further discussion on the matter, a motion was made to adopt Resolution 06-11, providing for levy of the expenses of maintaining and operating certain improvements assessed upon real property Sierra de Montserrat Subdivision Maintenance District. On motion by Councilmember Millward, seconded by Councilmember Ucovich and passed by the following roll call vote:

Ayes: Fuson, Millward, Morillas, Scherer, Ucovich
Noes: None

BUSINESS

13. **Petition For Stop Signs On Brace Road**

Citizens living along and near Brace Road have submitted a petition requesting installation of a stop sign at the intersection of Brace and Howard Lane and/or Brace and Hunters Drive

Recommended action: Authorize installing stop signs or other measures and refer this issue to the Traffic and Safety Committee to decide on the best location(s) to install signs or other measures

Public comment:

The following addressed the Council requesting stop signs on Brace Road at Howard Lane and/or Hunters Drive;

- Tina Sinnott, 5490 Brace Road
- Jackie Howard, Ash Court
- Cheryl Benson, 5515 Brace Road
- Gerald Neal, 5490 Brace Road
- Madelyn Coles, 5470 Brace Road
- Larry Monahan, 4108 Hunters Drive

The following addressed the Council with a petition opposing stop signs on Brace Road:

- Paul Savage, 5515 Grouse Court
- Melanie Keller, 5509 Grouse Court

Lieutenant Don Hutchinson, Placer County Sheriff's Department, stated the following:

- there are mixed feelings putting bate cars out, if there is nobody there it can be a concern if an issue comes up
- the paul beat officer is around in the morning in other areas

Officer Bob Brodovsky, Placer County Sheriff's Department, stated the following:

- in the mornings the paul beat car is typically responding to report calls from overnight incidents
- he covers the entire Town
- he is trying to make an effort to get the word out on Brace Road, he is citing a lot of people
- he can do that for a week or two and then he needs to move onto other areas of the Town
- more 35 mile signs will not make the drivers slow down, they are choosing to ignore the speed limit but when they see him they all slow down to 35 miles an hour

Following further discussion on the matter, Council directed staff to send this to the Traffic and Safety Committee on March 16, 2006 at 10:00 a.m. Town Hall for recommendation to come back to Council in April. On motion by Councilmember Scherer, seconded by Councilmember Fuson and passed by the following roll call vote:

Ayes: Fuson, Millward, Morillas, Scherer, Ucovich
Noes: None

Recess at 8:34 p.m. to 8:45 p.m.

14. **Park/Open Space/Tree/Community Facility Funds**

Discuss park, open space, tree, grants and community facility capital budgets

Recommended action: Approve the budget of park, open space, tree, and facility funds and grants as noted on the capital budget dated 3/2/06

Public comment:

The following asked for additional funds for the Del Oro High School stadium:

- Steve Otten
- Paula Lantraman
- Tim Klegg
- Rob Nash, Craig Court
- David Roses, Senior Class President at Del Oro High School

Craig Swan asked for a small park in the Hunter Oaks subdivision for his children to play in.

Marilyn Jasper, Don Drive, asked Council to put Open Space at the top of their list before it is all gone.

Janet Thew, St. Francis Woods, questioned the following:

- how many residents have children that go to Del Oro High School
- the use of the stadium
- how much did the Del Oro Computer lab get compared to the stadium

Jean Wilson, 4301 Barton Road, pointed out the following:

- not against the improvements for the stadium but with budget constraints there isn't unlimited park funds
- suggested fundraisers to raise money for the stadium

Following further discussion on the matter, a motion was made to approve the budget for park, open space, tree, and facility funds and grants as noted on the capital budget dated 3/2/06; and directed staff to footnote items to show where they are to be allocated; and to allocate some of the tree mitigation money to begin planting trees. On motion by Councilmember Ucovich, seconded by Councilmember Fuson and passed by the following roll call vote:

Ayes: Fuson, Millward, Morillas, Scherer, Ucovich

Noes: None

15. **High School Senior Project Assistance**

Del Oro High School senior Adam Weil submits a request for assistance in doing his senior project

Recommended action: Discuss and give direction

Public comment:

Adam Weil, Del Oro High School senior, stated the following:

- he is trying to organize a track and field event with the special ed students on March 29th
- the money will be for t-shirts, medals, snacks and field rental of \$31.50 (to Del Oro High School)
- he requested support for his senior project

Following further discussion on the matter, a motion was made to contribute \$100 towards Adam Weil's senior project. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by voice vote.

16. **Creek Week Committee Donation Request**

The Creek Week Committee submits a request for assistance in doing their annual creek habitat awareness program scheduled for April 22-29 this year

Recommended action: Discuss and approve an appropriate amount of assistance if warranted and if available

Public comment:

Marilyn Jasper, representing the Creek Week Committee, expounded on the program and stated the following:

- this is the 10 anniversary of the Creek Week
- Secret Ravine is in the Dry Creek Watershed
- there are 800 volunteers
- urged Council to support this and asked for a donation to help with events, mailing and t-shirts

Following further discussion on the matter, a motion was made to donate \$500 to the Dry Creek Conservancy. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by voice vote.

17. **General Plan Flood Plain Revision**

Council approved a review of General Plan and code language as related to allowing Commercial and industrial development in flood plain areas

Recommended action: Discuss and advise of Council comments to be included in evaluating changes to General Plan and code language that would allow commercial and industrial development in flood plain areas

Public comment:

No public comment.

Following further discussion on the matter, Council agreed with the changes to the General Plan and code language that would allow commercial and industrial development in flood plain areas. Staff will come back with a final copy.

18. **Service Fee Rates** (Continued from February 14, 2006)
Council adopted service fees in December 2005, and certain fees were held over for further Consideration
Recommended action: Discuss and give direction
Public comment:

Continued to April 11, 2006.

19. **Vehicle Parking Regulations**
Councilmember Millward and Ucovich ask that Council consider parking regulations in the Town having to do with compact spacing, parking requirements in general and downtown parking specifically
Recommended action: Discuss and give direction
Public comment:

No public comment.

Following further discussion on the matter, Council directed staff to revise the ordinance stating 25% of the parking stalls will be compact which will allow more landscaping.

20. **Development Workshop**
The joint session of the Council and the Planning Commission on February 28th resulted in a decision to hold quarterly development workshops and Council is asked to set the first meeting
Recommended action: Approve the workshop meeting to be on April 18th starting at 7:00 p.m. and advise if there are particular things (developments) Council may want to put on the agenda
Public comment:

No public comment.

Following further discussion on the matter, Council agreed to have a workshop on April 18, 2006 at 7:00 p.m.

21. **Tribal Gaming Grant Application**
This item was added to the agenda at the Council meeting because there is not another meeting before the deadline of March 24, 2006 for submittal of grant applications

No public comment.

Following further discussion on the matter, a motion was made to direct staff to apply for a Tribal Gaming Grant. On motion by Councilmember Ucovich, seconded by Councilmember Millward and passed by voice vote.

FUTURE AGENDA ITEMS: Items listed will be placed on subsequent agendas typically one at a time in the order shown unless otherwise requested by vote of the Council. Items for future agendas are entered in the order received starting at the bottom.

- Ken Mentzer tree code changes contract – Staff
- Goals update (last done March 2005) – Staff
- Identify park sites in Town (Alice fruit stand site??) – Ucovich
- Sheriff building needs in Town – Ucovich
- Farmers Market site – Ucovich
- Design guidelines – Staff
- Appointment of Treasurer and Clerk – Ucovich
- Subdivisions and street naming policies – Scherer
- General Plan revisions (flood Plains, commercial/industrial lands, sphere) – Staff
- Purchase Christmas garland (\$15,000??) for Loomis Station light poles – Ucovich
- 12/05 Concrete bench for bus stop at Starr Liquor – Ucovich

- 12/05 Town name plate (monument??) at Sunrise Loomis Park - Ucovich

COMMITTEE REPORTS

21. Placer County Economic Development Commission – Ucovich
22. Placer County Flood Control/Water Conservation District – Morillas
23. Placer County Transportation Planning Agency – Ucovich
24. Placer County Mosquito Abatement – Ucovich
25. Placer County Air Pollution Control District – Millward/Ucovich
26. Sacramento Area Council of Governments – Fuson/Ucovich

ADJOURNMENT

Mayor Morillas stated there was no further business and adjourned at 10:58 p.m.

Mayor

Town Clerk